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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/071,807

02/06/2002

Robert Beverley Basham

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33595 7590 09/22/2004

EXAMINER

MCLEAN MAYO, KIMBERLY N

INTERNATIONAL BUSINESS MACHINES CORPORATION  
9000 SOUTH RITA ROAD  
TUCSON, AZ 85744

ART UNIT

PAPER NUMBER

2187

DATE MAILED: 09/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/071,807

Applicant(s)

BASHAM ET AL.

Examiner

Kimberly N. McLean-Mayo

Art Unit

2187

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,8-11,13-15,18-20,22-24,27 and 28 is/are rejected.
- 7) ☒ Claim(s) 2,6,7,12,16,17,21,25 and 26 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. The enclosed detailed action is in response to the Application submitted on February 6, 2002.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 3-5, 8-11, 13-15, 18-20, 22-24 and 27-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Capowski et al (USPN: 4,126,897).

Regarding claims 1, 3, 5, 9-11, 13, 15, 19-20, 22, 24 and 28, Capowski discloses interfacing an implicit addressing sequential media (C 2, L 35-37; physical storage locations corresponding to implicit addresses) and at least one host compatible with explicit addressing sequential media devices (C 2, L 33-35; physical storage locations corresponding to explicit addresses) comprising responsive to host issuance of explicit addressing media access commands (comprised of Figure 5, Reference 105 and QW/EOT, Figure 2, Reference 62) performing operations comprising converting content of the explicit addressing media commands to form implicit addressing media commands and passing the implicit addressing media access command to the implicit sequential media device (C 2, L 33-37; C 6, L 27-29; C 6, L 41-44; C 17, L 46-50). Additionally, regarding a signal bearing medium tangibly embodying a program of machine readable instructions executable by a digital processing apparatus to perform the above operations (all hardware

Art Unit: 2187

devices incorporate a signal bearing medium tangibly embodying a program of machine readable instructions executable by a digital processing apparatus to perform functions).

Regarding claims 4, 14 and 23, Capowski discloses receiving an explicit addressing media access command including an instruction (C 7, L 4-6; read/write), address (Figure 5, ADDRESS) and a data length (QW/EOT; C 5, L 29-33); removing the address and retaining the instruction and data length (the address is provided on ADDR bus [Reference, 56 in Figure 2] and thus is removed).

Regarding claims 8, 18 and 27, Capowski discloses queuing host issued explicit addressing media access commands, converting content of the host issued explicit addressing media access commands to form counterpart implicit addressing media access commands, and passing the queued implicit addressing media access commands to the device in an order dictated by their explicit addressing counterparts (C 4, L 51-68; C 5, L 1-4).

***Allowable Subject Matter***

4. Claims 2, 6-7, 12, 16-17, 21 and 25-26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

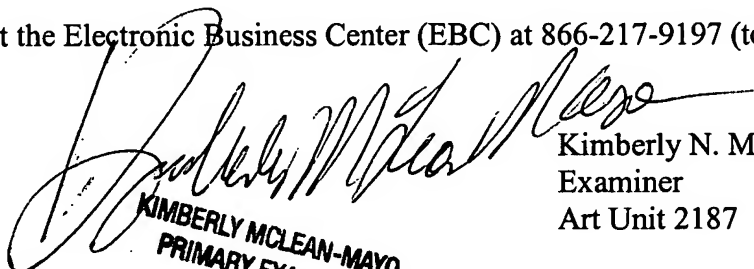
5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Groves – USPN: 5,657,442 – address translator converts implicit addresses to explicit addresses.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly N. McLean-Mayo whose telephone number is 703-308-9592. The examiner can normally be reached on M (10:00 - 6:30); Tues, Thr (10:00 - 4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Sparks can be reached on 703-308-1756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**KIMBERLY MCLEAN-MAYO**  
**PRIMARY EXAMINER**

Kimberly N. McLean-Mayo  
Examiner  
Art Unit 2187

KNM

September 18, 2004